

The January meeting of the Zoning/Planning Board of the Town of Van Buren, held at the Town building, 7575 Van Buren Rd, Baldwinsville, New York, was called to order at 6:00 p.m.

Those present joined in the Pledge Allegiance to the Flag.

Roll Call:	James Virginia	present
	Mark Budosh	present
	Jamie Bowes	present
	Roger Roman	present
	Claude Sykes	present
	Jim Schanzenbach	present
	Tony Geiss	present

Also Present: Jason Hoy, Town Engineer  
 Nadine Bell, Attorney  
 Casey Palmer, Codes Enforcement Officer  
 January Baker, Zoning Planning Board Secretary

**MINUTES**

Motion by Mr. Virginia to approve the December meeting minutes as amended. Seconded by Mr. Schanzenbach. Motion Carried.

Motion by Mr. Roman, seconded by Mr. Budosh to open public hearing for Seneca Neighborhood/ Treybrook variance for rear yard setback. Motion carried.

**PUBLIC HEARING-SENECA NEIGHBORHOOD-(TREYBROOK)-VARIANCE FOR REAR YARD SETBACK-425 DEWPORT RD.-TAX MAP ID#064-03-49.0 (PUD)**

Mr. Brandon Jacobson of Brolex Properties at 5912 N. Burdick St. East Syracuse was present to speak for applicant Build Your Own Homes on plans for a house to be built on Lot 134 on the cul-de-sac presenting a unique shaped lot. To be consistent with the other homes, Applicant is asking for a rear yard variance for lot is too shallow to meet setback requirements. Chairman clarified the lot backs up to an electrical easement and water easement that abuts up to Van Ness Rd. Applicant is asking the set-back be brought from 40ft. down to 25ft. All other setbacks will be met to code. Chairman asked for any comments? No comments.

Motion by Mr. Schanzenbach to close public hearing seconded by Mr. Virginia. Motion carried. Regular meeting back in session.

**SENECA NEIGHBORHOOD-(TREYBROOK)-VARIANCE FOR REAR YARD SETBACK-425 DEWPORT RD.-TAX MAP ID#064-03-49.0 (PUD)**

Mr. Geiss asked if Board had any questions. Mr. Bowes asked about the property being labeled “forever wild”, this might cause some stir if land was ever sold and cleared. Mr. Jacobson stated it was probably the wrong terminology to use in application and he will change it. Agreed it’s too

presumptuous to say “forever wild”. It is an undeveloped landlocked parcel. Mr. Schanzenbach clarified because of this and the abutting of said lot to this and the easement, it makes this an approvable request. If there were any other properties backing up to this it may not be, approved in future.

Chairman read resolution as follows:

**RESOLUTION NO. 2201\_\_**  
**OF THE**  
**ZONING BOARD OF APPEALS**  
**OF THE TOWN OF VAN BUREN**

Build Your Own Home, LLC of 5912 North Burdick Street, East Syracuse, New York (“Applicant”) has applied for area variance relief from Section 200-45 of the Town of Van Buren Zoning Code for property known as Lot 134 of Phase 2A of the Treybrook Subdivision, Tax Map No. 064-.03-49.0 (“Property”), relating to the location of a proposed single-family dwelling. The Property is located in the PUD Zoning District.

The Property is situated on the bend of the Dewport Road cul-de-sac, resulting in a unique, wedge-shaped parcel. The rear of the Property, which abuts an undeveloped landlocked parcel, is encumbered by utility easements. Due to the dimensions and configuration of the Property, as well as existing easements, there is limited area upon which a single-family dwelling can be constructed. As a result, Applicant proposes to construct a single-family dwelling, with an attached two car garage, on the Property in such a manner that requires variance relief from Section 200-45. Under Section 200-45 of the Zoning Code, the required rear yard setback distance for a residential structure in the PUD Zoning District is 40 feet. Accordingly, Applicant seeks a variance of 15 feet to allow for the placement of the single-family dwelling 25 feet off the rear property line.

A representative for Applicant appeared at the public hearing to describe the Property’s limitations and the need for variance relief. Applicant addressed the concerns of the Board. There was no objection to the proposal at the public hearing, which was held on January 11, 2022, pursuant to public

notice.

In support of the application, Applicant submitted an Application for Variance, Agricultural Data Statement, Notification to Surrounding Property Owners, Short Environmental Assessment Form, dated December 15, 2021, a portion of an untitled survey, and brief narrative.

Based upon the foregoing, the Board resolves as follows:

1. This matter is Type II under the State Environmental Quality Review Act as it involves the granting of an area variance related to a single-family residential use.

2. It is determined that variance relief will not produce any undesirable change in the character of the neighborhood and will not be a detriment to nearby properties. Variance relief will not have an adverse effect or impact on the physical environmental conditions in the neighborhood or district. There is no apparent method to achieve the benefit Applicant wishes to obtain, other than a variance and the benefit to Applicant does outweigh any detriment to the neighborhood or community because of granting the variance relief.

4. An area variance is hereby granted allowing Applicant to encroach into the rear setback area by 15 feet, resulting in the placement of a proposed single-family dwelling 25 feet off the property line, on property known as Lot 134 of Phase 2A of the Treybrook Subdivision, Tax Map No. 064-.03-49.0.

Dated: January 11, 2022

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Anthony Geiss, Jr. Chairman

Zoning Board of Appeals

Town of Van Buren

Roll Call Vote:

	Aye	Nay	Other
Mark Budosh	<u>  x  </u>	_____	_____
James Virginia	<u>  x  </u>	_____	_____
Claude Sykes	<u>  x  </u>	_____	_____
Roger Roman	<u>  x  </u>	_____	_____
James Bowes	<u>  x  </u>	_____	_____
James Schanzenbach	<u>  x  </u>	_____	_____
Anthony Geiss	<u>  x  </u>	_____	_____

Roll call vote taken, all in favor. Motion carried.

An archaeological report on Crego Farms development done, and will be available in possibly 4-6 weeks, looking for that mid-February they hope.

Mr. Geiss mentioned driveway width changed by code from 20ft. wide to 30ft.

Another change under review was for solar farm setbacks from street to 300ft. also not to exceed 25% area of usable farmland.

Ms. Bell mentioned the Board can have developers in PUD zoned districts be asked to provide building proposals on drawings. Mr. Sykes asked how will they do this without knowing the layout and Ms. Bell stated they could give an estimate on what the max footprint could be.

Motion by Mr. Virginia to adjourn meeting seconded by Mr. Budosh. Motion carried.

Adjournment @ 6:25pm.























